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STEPHEN DEERHAKE:

All right. I want to thank everyone. Good morning, good afternoon, and good evening. Stephen Deerhake here for the record. I want to thank everyone for joining today's teleconference. Also, for the record, this is the 29<sup>th</sup> July 2020 edition of the ccNSO PDP Working Group tasked with developing ICANN policy with respect to establishing Review Mechanism for ccTLDs that's mentioned in RFC 1591 section 3.4. We've convened today at 04:00 UTC, continuing to adhere to our recently adopted meeting time rotation schedule. And I want to thank those of you who either stayed up really late or have gotten up really early for your participation on today's call. It's a sub-optimal time, I realized for Europe and the Americas, but we all suffer with the meeting rotations, which I think are the proper way to conduct our business.

I wish to thank Joke and Bart who are up really early, and also Kimberly and Bernard who are up really late. Thank you especially for Kimberly for her continuing Zoom room magic. And thanks again, all of you guys, for participating on today's call. Staff will be taking attendance in the usual manner. So if there's anyone on audio only, please identify yourselves so you're properly recorded as being present.

With regards to administrative announcements, I only have the one which you can see there, 2.1. As mentioned on our last call, our evil twin working group tasked with developing a retirement policy needs to meet to review the public comments that were submitted with regards to the work product that the working group published some time back. I believe we've got like five public comments that we need to review and my understanding is that our able Staff is reviewing these and putting

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together a document that will summarize those five comments by subject matter.

From my reading of them, none of them say point blank that the working group was completely insane with the approach to retirement that we articulated, so it's not like the working group is going to have to go back and start at square one and start over. We do need to review these and respond to the public comments that were received.

We did a poll on available times for the working group to meet, and subsequent to that Doodle poll, we will be meeting on Zoom on 6 August 2020 at 17:00 UTC. That's just a heads up for those of you who participate in both this working group and the Retirement Working Group. But it's also an invitation to those of you who participate in this working group exclusively to join us on our call on 6 August. You're certainly welcome. But I will acknowledge that if you have a date with a socially distance mass bit of [sand] somewhere, I can certainly understand that you would rank that higher than the Retirement Working Group call to review the public comments. Personally, I'm searching for a similar piece of socially distance mass [sand] myself but haven't found it yet, so I'll be on that call.

As I also mentioned on our last call, ICANN Legal has sought participatory status within this working group and I certainly have invited them to do so. I've not heard who from ICANN Legal might be joining us going forward. Bart, who might have an update on here from ICANN Legal, will be sitting in with us.

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BART BOSWINKEL:                   Nope, not yet. I reached out but [inaudible] she would provide the name shortly, but I didn't know what "shortly" means with them. But undoubtedly, they will join at one point. Thanks.

STEPHEN DEERHAKE:               Okay. Great. Thank you, Bart, for that. Yeah, I appreciate it. Please make it clear to them that I'm more than happy to have them on board and whatever we can do to facilitate that. I'm happy to do so.

Okay. For this teleconference, we're going to dive back into Bart's document presented on the last call. It's been tweaked a bit by the vice chair, highlighting some areas of ambiguity, and also [inaudible] he tends to do with these documents. So Eberhard will walk us through the document, folks, on the areas that he believes need further attention by this group. And thank you, Kimberly, you read my mind. I expect a healthy exchange of viewpoints from Eberhard as well as from all of you on this. We're looking to finalize a framework for our discussions regarding the nuts and bolts of the review mechanism, which we really need to start diving into. We need to get into those specific discussions, lest we too become the bet of ICANN community jokes about how slow the ccNSO is with respect to policy development.

That's it for me from way of introduction. Bart, Bernard, do you have anything to add? Anything that I overlooked?

BART BOSWINKEL:                   No.

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STEPHEN DEERHAKE: I'm taking silence from [inaudible] as being no as well. So thank you. We got the current version of the document to discuss. So, I will yield the floor to the vice chair. Eberhard, you can walk us through it. The floor is yours, sir.

EBERHARD LISSE: Good morning to this ungodly hour from my side.

STEPHEN DEERHAKE: Good morning. Thank you.

EBERHARD LISSE: With regards to speed of the working group, I don't care what other people who are not producing anything – I'm saying about the speed of this. I'm more focused on the quality of the product. That said, we receive next to no input on the mailing list, so I'm not sure that conducting our business only on the calls and then nothing else during the next two weeks is conducive to improving the speed of our working group.

That said, this document has been seen before, it's written by Bart. I reviewed it a little bit. We worked on the language a little bit and removed some typos, changed some tenses from past to present or the other way around, and numbered it so we know which version we're dealing with. On this page, there is nothing new. We basically reviewed the presentation that Kim gave me. Let me see if Kim Davies is on the call.

STEPHEN DEERHAKE: No.

EBERHARD LISSE: So we've got somebody who can shoot me down if I'm way off base here?

NAELA SARRAS: I'm happy to, very much. I look forward to it.

EBERHARD LISSE: I enjoy giving you the satisfaction.

NAELA SARRAS: By the way, I gave this presentation. I'm glad it's Kim stuck in your head.

EBERHARD LISSE: Oh yeah. Because we all know [inaudible] but during our deliberations, it was [inaudible] is the presentation that Kim said. Anyway, it's the PTI presentation. It doesn't matter who gave it. It surely consists of what internal deliberations reviewed anyway.

We have these four points that you guys do culminating in evaluating of findings. So Bart constructed four tables which I reviewed and modified slightly. The process to be employed was first to identify as many decisions that have been taken by whatever party which can be subject to review. Initially, that means basically PTI and the ICANN Board when

they sign off, causing the dotted T's and dotting the I's, and that's basically Step 1. The presentation that Naela did was based on and reflected this URL where they say how they do this.

On the next page, we see the steps. We see what decisions are within scope and which are out of scope. The point here is due to limitations of the scope of the ccNSO policy development process and outcome to that a little bit later when I talk about these marked-up pages in the table.

Then we need to discuss who takes the decision, who provides oversight, and so on. That's all clear. Then Bart gave two definitions of oversight, what that means in other areas. Sorry, I have to adjust my chair a little bit. Then we go to the next page.

This is basically an introductory page to the tables, which provides the reference on which this is based on. Next page, please.

I will change this table numbering slightly so that they will reflect what table we're talking about. This will be Table 1. So the questions will be 1.11.1, on the second table, 2.12.2, so that we always know in our discussion what question we are referring to. If we add questions to a table, we will add them at the end so that the numbering of existing questions don't change so that when we refer to something during the talk, we know what we're talking about.

The first decision is to be clear about what is actually requested. Is it a delegation for a new string for a new ccTLD? The last one was .SS and rumor has it that something else is being applied on ISO. So if that happens, then a new delegation would happen. Or is it a transfer or is it

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a revocation? Revocation is not really an application so that it's not really a request but in the end, it's one of the three decisions that can be made here.

Then the question is, is the request entity data clear? Is the data consistent and well formed? Sometimes this may be a problem for non-English speakers. The consequences of what happens if the data is inconsistent or not well formed escaped me at the moment. Then obviously, the question is the string eligible for delegation? In other words, is it an ISO code currently activated or is it one that is on the exceptionally reserved list or whatever? There is several on the exceptionally reserved list, which do not have an ISO list which do not have corresponding codes. So in theory, it is possible that for one of those, an application could come in.

For transfer, it's the same thing. Is the data clear? It says, what ccTLD are we talking about, who is the old incumbent manager, and so on? Is the string a digress? Is the string eligible for delegation? It means is it an active code element or is it one on the exceptionally reserved list.

Then is the documentation complete? I don't recall exactly what documentation is currently required. Guidance there would help me to refresh my memory or even to publish this so that we know if an application comes in. This is what documentation needs to be provided. If not, is there an additional documentation or clarification required? That's a judgment decision by the PTI. I don't want to interfere, as I said before, with internal management decision. I want the query outcomes but not internal processes. Next page.

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Then we come to some technical checks. The obvious one is we look at the nameservers that are delegated and look whether they all respond. And then we look whether they all respond the correct data. Generally, that means they should always return the same data or nearly the same. Sometimes nameservers take a moment to adapt, to synchronize, and if that is ongoing on a regular basis, a little bit of inconsistency can probably be tolerated. And my experience is that PTI is not difficult about these things, especially when you can explain yourself. If it's a small ccTLD with 50 names, there is no real excuse. They should all be in sync. If it's one that has 10 million, for example, the updating the serial numbers may well be out of sync because the processes are ongoing. And if you don't hit all nameservers at exactly the same time, you might get differences in the serial numbers.

Is DNSSEC set up correctly? That's an issue that I have because DNSSEC is not part of delegation or revocation or transfer. It's not in the RFC, it's not mandatory. The point here is, however, to say if it is used, it should be set up correctly. What that means in a transfer escapes me at the moment because it probably means that all the SSAC keys in the root will have to be changed because I'm not sure that DNSSEC keys will be transferred when one manager changes to the other. So that's an issue of technical concern that at the moment I don't really grasp, but DNSSEC is not part, as far as I understand it, of delegation, it's not mandatory, it's purely voluntary, and so I'm not sure what that means.

As I said, supplied e-mail addresses should work. There is one in the DNS SOA record that Kim and Naela have said that they don't test for. Personally, I think one should but that's a separate issue. I don't think it is mandatory to provide your registry URL but I feel in our current day

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and time, I would have no issue if PTI has internal policy also to require this because it makes sense.

Supplied WHOIS and RDAP servers working? First of all, RDAP is not at all implemented widely yet and neither is mandatory. And of course, obviously, if a server is supplied, it should be working. The question is, what does working mean? What data does it return, and so on? Also, this can be changed on an ongoing basis so I'm not sure whether they should be part of a technical check. Next page.

KIMBERLY CARLSON: Eberhard, Peter has his hand up.

EBERHARD LISSE: I wanted to go through this but, Peter, can you ask your question, please?

PETER KOCH: I can wait.

EBERHARD LISSE: No, no. Do it. Do it so we know we're in the topic.

PETER KOCH: Okay. So then, good morning first. I was wondering about things that you mentioned in your last two sentences, the level of detail in the table in relation to, first of all, who has changed control over the checks and,

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secondly, how mandatory is passing the checks for ccTLD in the first place. You already mentioned in your last sentence that this might be moving targets and then the Review Mechanism document should probably not be changed all the time. So maybe we need to consider just including things by reference in a way for the next step. I think it's okay to do it all right now.

EBERHARD LISSE:

This is mainly a question for PTI. I just checked things that I found in need of discussion or that I didn't understand. If anybody else thinks in particular, be more than welcome. We can work on them. I agree moving targets is an issue, but Naela posted in the chat that they don't think it's mandatory but if it's applied then it should be correct and then they test for it.

PETER KOCH:

Ah.

NAELA SARRAS:

Can I jump in? I'm sorry. I know Eberhard didn't want questions now. I can wait or I can jump in now.

EBERHARD LISSE:

No, no. You were asked so answer the question. It's fine.

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NAELA SARRAS: So on their previous two that both the DNSSEC and then the test for the WHOIS and RDAP, that's only if they're included in the data supplied to us. So then we do the DNS checks that you guys are all familiar with that we do. Now, if it's a transfer from a current operator/proposed operator, usually we expect some cooperation between the existing and the proposed, and so you're right, there's an exchange of keys so that the DNSSEC will actually work. If it's not a consented then there's a whole other consideration given there. Same thing for WHOIS, we test for the WHOIS server to make sure that it's actually responding, and then RDAP if they're doing RDAP.

One thing to keep in mind is that we know that the delegation and the transfer processes for ccTLDs are more than just a matter of days. They take several weeks depending on the preparedness of the request. We do have a number of allowances for – these things are not tested right at the beginning of the request or we expect everything to work at the beginning, but certainly by time it needs to be implemented in the root zone, these things need to be working. I hope that helps.

EBERHARD LISSE: Yes.

STEPHEN DEERHAKE: Thank you.

EBERHARD LISSE: Thank you.

NAELA SARRAS: Thank you.

EBERHARD LISSE: I'm a believer that if something is being done or used, it should be done correctly in the specs or not, especially since DNSSEC has the possibility of causing grave lapses in resolution.

Okay. We are now under consent/regulatory check. I have the question for me that I wasn't clear about but that can be resolved by comments on the mailing list. If pro-forma use non-mandatory alternative, it probably means the whole accounts so that you don't have to have an individual listed as an admin contact, and if a whole account is being used, PTI wants to know internally who sits behind it, which is not published but they want to know who they can talk to or who they're talking to, which in a way is understandable but should not be a decision that affects the process.

Then I don't understand – I don't remember whether we asked this oversight. It was answered already. What legal requirements are being meant, U.S. or host country that we need to need some input on?

On the next page, it's also relatively clear. However, in the meantime, I have thought about, is the proposed manager operationally and technically competent? I don't know how this is being tested in the case of .SS, the technical manager turned out to be less than competent at all, which was anticipated. Currently, they're struggling severely and the

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technical manager is changing again. I don't know how they test this, and I don't know how this can be oversighted and reviewed.

Legal status is fine. The chronology of the community events, I assume that means that in a delegation or transfer, the applicant has to provide statements of support from the local Internet community or a PTI is soliciting those. The same goes for SIP, which basically means the governments.

Then the question of registration policy that hasn't been part of RFC 1591, it has never been mandatory to have a policy, it has only been mandatory if there is one to apply it uniformly. There is nothing wrong with having a policy but it can be changed because it's a decision by the manager. It can be changed at any time. So I'm not sure whether this should be a decision that is affecting things. And the next page.

That's now a thing that we already identified outside of this that's from the review mechanism, from the retirement policy that one decision we identified that is subject to review is the request for an extension period. If it's denied, that it's subject to review. That's about it.

BART BOSWINKEL: Eberhard?

EBERHARD LISSE: Yes?

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BART BOSWINKEL: What should be included and probably in this one as well is also the decision from the recommendation from the Framework of Interpretation Working Group regarding the decision on revocation. It should be subject to review because there was a explicit advice from the FOI Working Group with respect to the Board decision on revocation to make that subject to review.

EBERHARD LISSE: Can you send me a line or two per e-mail? I'll add it to the table.

BART BOSWINKEL: Yes. I will.

EBERHARD LISSE: Thank you. Anybody else while I still have the floor? I don't see any hands. Not that I'm looking for them.

STEPHEN DEERHAKE: I do not see any. But I thank you, Eberhard, for that. If we can go back and look at I guess – oh, Naela has got her hand up. So let's hear from PTI.

NAELA SARRAS: Yeah. How do you want the input on the highlighted yellow pieces? And also, I didn't follow all the columns, how they were filled in, so I'd like to comment on that as well. Do you want that over the mailing list or do you like that here?

STEPHEN DEERHAKE:           Go ahead.

EBERHARD LISSE:           I personally like mailing lists better. It doesn't put anyone on a deadline, but it also gives you time if you have it done. If you have an item topic, you can raise it on the mailing list, we can debate it a little bit, and we need to read the document twice on the calls anyway, but it's always better to have – I don't like to do these things on the fly. It's much better if we revisit this on the mailing list. So if you put post it and I don't understand it or somebody else's comment, we can finally spark some discussion on the mailing list, and then add language or whoever "owns" the document at that point in time adds the language onto the tables, so that on the next call, we can review the document and see it in its current form.

NAELA SARRAS:           Thank you.

EBERHARD LISSE:           When I do this, I will always add the version number to the filing name so we really know which version we're talking about. And the version number is on the bottom of each page. I want to have no confusion on what version of a document we are talking if there are changes.

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STEPHEN DEERHAKE:

Thank you, Eberhard. Thank you, Naela. I really encourage people to contribute comments on this via the mailing list so that we can actually start exploiting it as we get into this in detail.

Anyone else with any comments regarding Eberhard's presentation? Are there any specific questions, comments regarding the items in yellow that we saw on the previous tables 4, 3, and 2? Allan's got his hand up. So, Allan, the floor is yours, sir.

ALLAN MACGILLIVRAY:

Thank you, Stephen. I have a general question, and I'm waiting for an opportunity to pose it. Maybe this isn't the right time but I'll just put it out there right now.

One of the exercises you've asked us to go through in this document is to decide which decisions should be subject to the review mechanism and which, by definition, wouldn't be. Is it our intention that if a decision is excluded from this review mechanism that that decision could nevertheless be potentially available to the other review mechanisms in the system? Like I'm thinking particularly of the Independent Review Mechanism that I think we discussed a couple of weeks ago. Because I think it's important to know, are we saying this decision can never be reviewed or that this decision, even though wouldn't be reviewed under what we're proposing it, it could potentially be reviewed under the other mechanism, because that may affect how we approach some of the issues here. So I guess that's my general question. Thank you.



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STEPHEN DEERHAKE:

Okay. Thank you, Allan, for that. Eberhard, I see your hand but chair's prerogative at the moment. When ICANN's 3.0 was being put together, that is the removal of USG oversight, the Cross-Community Working Group, as part of its institution of various review mechanisms, excluded CCs from essentially all of them at the request of the CCs. So I think to answer your question, the answer is "no" if there's something that at the end of the day we in this group say is outside the jurisdiction of whatever review mechanism we come up with. I think the answer will be for the affected party to sue in California court and carry on that way. But that is just my opinion, I'm not a lawyer, but I think that's probably where we would go with that. I've got Eberhard and then following Eberhard, I've got Nigel who can probably weigh in on this more effectively than I can. So, Eberhard, the floor is yours, sir.

EBERHARD LISSE:

I am must refine this a little bit. The other review mechanisms that were developed as part or not of the accountability fiasco do not apply in any way to these delegation/transfer/revocation issues. If there is an issue with ccNSO Council or management of the ccNSO, there might be a mechanism for viewing but did but decisions with regard to delegation, transfer, revocation are not subject to external review. For that, we need our own mechanism. As far as level of detail is concerned, we must capture ... Nigel, can you please turn your microphone down? You're pattering around and it's distracting me. I don't want to be too fine grained into decisions of PTI because it will hamper their processes if every single step can be reviewed. But there must be identified important points or important decisions which are subject to review or

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become subject to review. And I think the review mechanism should be the one that we develop. It should not be anything outside this.

STEPHEN DEERHAKE: Okay. Thank you, Eberhard. Nigel?

NIGEL ROBERTS: Okay. A couple of things, actually. Through the perspective of a long-time ccTLD community member and from a participant committee member of the Board Accountability Mechanisms Committee which is the committee that hears applications on things like reconsideration and document disclosure requests, and so on. Eberhard is absolutely correct in that the accountability mechanisms specifically exclude all matters relating to the delegation and change of manager and revocation of ccTLDs for various reasons, which we don't need to go into, but that's essentially why we're all here. But going back to the accountability mechanisms themselves in other aspects, they relate to any Board or Staff action or inaction that has an effect on the claims. And I would really caution against trying to provide a prescriptive list of masses that the PTI may do or not do that come within or without the proposed mechanism. What's needed really is a definition that can be robust and applied 5-10 years in the future without failing. It needs to be technology neutral, would I say. So I think Allan's question is exactly on point here and it's something that we need to explore a bit more deeply. Thanks.

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STEPHEN DEERHAKE: Thank you, Nigel. I assume that's an old hand. Anybody else with any remarks on that? Allan, do you have anything further you wish to comment on this? I think you brought up a very valid point.

ALLAN MACGILLIVRAY: Well, if I might, it's exactly why I raised it because I certainly would have concerns if we go through this process and say, "This aspect is not subject to review," then I think that could lead us to a very uneven playing field. In other words, there could be a comparable situation with the gTLD where that aspect is subject to review and the CC community would not have a parallel mechanism for that. So I want us to be very mindful of that when we going through this process because I, for one, would like to see an expansive view of the scope of decisions subject to review even though you would have to meet some kind of injury test. I think Nigel has summarized the current one of action or inaction by the Board. So anyway, I want to table that and we'd come back to it as part of this process. Thank you.

STEPHEN DEERHAKE: Thank you, Allan. And please bring this back up again when we get close to that. Eberhard, I see your hand is up. So, the floor is yours.

EBERHARD LISSE: Thank you. As I said, I don't want to go into too much detail. I also don't want to be too prescriptive. I mean detail of decisions or processes. But what we really don't want is that we do our mechanism and then whatever is included or not, whenever PTI does something, its Staff

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action, we can go and do an accountability review. That is probably excluded because it's an action or inaction with regards to delegation, change of manager or revocation, but we should be clear about it. And as far as gTLDs are concerned, we must be sure that we capture every important ccTLD. We don't care what TLDs. We have our own problems. We have our own way of dealing with things and we do not have contracts. Most of the gTD issues are regulated or arise from contracts and since the relationship between ICANN/PTI and ccTLD manager is a bilateral relationship cannot be regulated by one side unilaterally and cannot be regulated by, for example, PTI/ICANN for everybody because it's not the way this thing works. We must be a little bit careful what we do.

I think I agree that if we identify decisions that are subject to review, they should capture what is current. In other words, they should be exhaustive on the current situation, but we should leave us an option of revisiting should something come to the attention and it could be added by some other policy process in the future.

STEPHEN DEERHAKE: Thank you, Eberhard. I appreciate that. Nigel, your hand is up. So, the floor is yours, sir.

NIGEL ROBERTS: Thank you. Just a postscript, actually, and this is something that we may have to take into account. When Eberhard says that we don't have contracts, he's only partially correct. There are – I don't know if it's two

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or three ccTLDs that have actual form of contracts with ICANN going back to the early 2000s.

STEPHEN DEERHAKE: Three at the top of my head. There may be another one.

NIGEL ROBERTS: Yeah. This needs to be taken into account. Now there's an argument possibly that ICANN ought to revisit the whole thing and make sure we streamline it, but at this point in time, there are a couple of ccTLD contracts out there as far as I remember.

STEPHEN DEERHAKE: You're correct. There are. And you're still active as far as I know.

EBERHARD LISSE: I'm not sure that this really means a lot because we are talking about delegation, change of manager, and transfers, and that implies that the contract would be terminated. However, there is only JP, AU, and KE, as far as I'm concerned, that have this. So while we should be mindful, they should not really be the focus of our deliberations.

STEPHEN DEERHAKE: Okay. Thank you for that. Nigel, your hand is still up. Is that an old hand or do you have further –

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NIGEL ROBERTS:

No. I put it down and I put it up again. I'm just going to say with respect to Bart, that's actually not something that we can just put on one side because we're designing a mechanism that will apply to all ccTLDs perhaps, or at least we wanted to apply to all ccTLDs. And the issue it's exactly this. If, for example – I'm not going to pick one of the three you mentioned, but let's say one of them decides to stop paying their fees under the contract and PTI takes a decision accordingly, which potentially leads to a change of manager, that's exactly where you need to have well defined – I'm going to use the phrase accountability mechanisms but maybe CC accountability mechanisms is a better phrase. So with respect, we actually have to take all circumstances into account and have a policy of broad application, not one that lists specifics, which will break in 5 or 10 years' time. Thanks.

STEPHEN DEERHAKE:

Thank you, Nigel. So if I understand you correctly, before I get to Eberhard, whose hand is raised, what you're saying is yes, we need to develop a mechanism that handles contracted ccTLDs. My question to you is, where do we go with that? That is something I have not thought of, really, beforehand. So any elucidation on your part will be appreciated. Thank you.

NIGEL ROBERTS:

Thanks, Stephen. Since you're putting me on the spot, I'm not saying I have an answer for this, what I'm saying is it follows logically from the work where the discussion is going. But we need a policy that is of broad application and effectively holds ICANN to behave fairly. I think

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that's the purpose of what we're doing here. It needs to take potential circumstances into account. So it's almost any decision by the decision-maker, where the decision-maker is one that is included in the policy and the decision taken is of a kind that is included in the policy and in this case, delegation, change of manager, etc.

STEPHEN DEERHAKE: Okay. Thank you, Nigel. Eberhard, floor is yours, sir.

EBERHARD LISSE: We don't make policy for ccTLDs, we make policy for ICANN and PTI, and it applies to members of the ccNSO at that point in time. I am not really clear what would happen if .au resigned from the ccNSO, what would happen to ccNSO policies in this regards, whether they have a contract or not. Whether they have a contract or not I think does not play a role because we must be identifying the decisions of PTI/ICANN that are subject to review, which may of course include decisions of revoking or changing manager because of the expiration of the contract. Somebody unilaterally decides to leave the contract or something. I understand that but we should focus on decisions of PTI and ICANN in that regards and not on the ccTLD manager.

STEPHEN DEERHAKE: Okay. Thank you, Eberhard. I see no other hands so maybe I will call upon someone to weigh in on this. Patricio, are you there? Do you have any thoughts on this?

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PATRICIO POBLETE: Yeah. I'm still awake. It's kind of late here.

STEPHEN DEERHAKE: I know. It's late for me too. I'm just checking in.

PATRICIO POBLETE: Well, I don't know if this answers your question but one thing I was thinking while we were going through these very detailed lists is that if we really want to go into that much granularity, so finer granularity, and when I hear Nigel saying that in other contexts, what is subject to review is any action or inaction that blah, blah, blah, that kind of sounds to me like the right level of detail. For instance, one would say that actions or inactions of the PTI that unfairly reject a ccTLD application because of technical reasons should be subject to review. We wouldn't need to go into the fine detail of saying that that refers to URL not being correct or an e-mail address not working. That could be the case but the way we state it could be much higher level than that.

STEPHEN DEERHAKE: I appreciate you comment. Anybody else have any comments regarding any of this? Patricio is an incoming Board member from the ccNSO, which is why I put him on the spot. I appreciate his humor in dealing with it.

PATRICIO POBLETE: Fair enough.



STEPHEN DEERHAKE: Anybody else with any thoughts on this or how we go forward on this? Because we need to start as much as we all want to those at least in northern hemisphere find our socially distanced speech presence, etc., and take a few weeks off. We've got to start diving into the details, the nitty-gritty of this, as you've seen. I think we've got our framework here that is reflective of a way forward that I think we're in agreement on. I don't see anybody waving hands or putting up red Xs in Zoom saying no, they don't. So this is going to be our path forward. Any comments on this?

BART BOSWINKEL: Stephen?

STEPHEN DEERHAKE: Yes, Bart? I don't see your hand up but then –

BART BOSWINKEL: I can't do put my hand up. Otherwise, I would. Please note this and we started this discussion, I think, three or four meetings ago around this table, is this follows the track we've used with respect to the understanding of decision points around the retirement process. At the time, three, four meetings ago, we thought it would be a good way forward first, go into the details, then refine and identify. It was very clear from the start, at least, I think from the Staff side, is this is too detailed, but this is an easier way to identify those decision points which are relevant. Then going the other way around and then halfway

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through the process, identify your decision point, “Oh, we forgot that one.” So it’s the first step and that’s why the question was phrased that way. This is what the Retirement Working Group did during some of their sessions is, “Okay, let’s first identify those decisions that we think are too detailed and the scope that should not be included.”

The complaints list, it was added after the last call after this working group was informed about – that’s the reference to it, the escalation procedure that PTI uses. Probably that’s something that goes into complaints about any action of PTI. Naela, you need to clarify if I phrased it too broadly.

That’s the way to do it. Don’t get too hung up about this table. It’s used to identify decision points, which should be subject to a review, however, defined like you did with the retirement. Thanks.

STEPHEN DEERHAKE: Okay. Thank you, Bart. Eberhard, your hand is up. So the floor is yours, sir.

EBERHARD LISSE: I just want to say if there is more points, send them in, we’ll put them on the table. And if there is concerns, raise them so we can debate them so we arrive at a table that is granular enough but not too granular. I like Patricio’s idea of paraphrasing things on a higher level. Absolutely, we don’t have to slow down to the internal processes of PTI too much.

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BART BOSWINKEL: That's exactly what you've done with the Retirement Working Group. Maybe we should, as an example, set a complete table so people have a bit of a sense – because not everybody was on the Retirement Working Group – a bit of a sense where you end up. Because as you can see right now, you end up with one decision that was subject to a review, the Retirement Working Group. After going through a list, I believe it was 15 different decisions. Thanks.

STEPHEN DEERHAKE: Thank you, Bart. Anybody else with any further comments on this? You're being uncharacteristically quiet but I'll let you do so. Anybody else with any comments on this? Otherwise, I think, Kimberly, we can put up the agenda and discuss the next meetings. Thank you. What do we have here? Any action items? I discussed administratively earlier on. Bart, Bernard, do you have any action items? I don't have any except to plow on. Bernard's got a big X out saying no.

Okay. Any other business for everybody here gathered during the ungodly hour for those of you near the meridian and a finer hour for those out in Asia? I don't see any. Let me see. Scrolling away. Nope.

Okay. So our next meetings as you can see on the agenda are on the – we're having two meetings on the 12<sup>th</sup>, it looks like, which I don't believe is correct. We do have a meeting on the 12<sup>th</sup> of August at 12:00 UTC, respecting our time rotation. Our next meeting after that is the 26<sup>th</sup> of August, not the 12<sup>th</sup> of August but the 26<sup>th</sup> of August. 6.2 should read the 26<sup>th</sup> of August at 20:00 UTC.

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That's it for me. If there's no other business which we didn't see earlier on, I think we can call this to a halt. I want to thank everyone for participating. Thank you for getting up early. Thank you for staying up late. I really want to thank ICANN Staff – Joke, Kimberly, Bart, and Bernard – for being up out of band in their respective time zones and for doing what they always do so well for us. That's it. With that, Kimberly, I believe you can kill the recording and we can all go off and do what it is we're going to do today. Personally, I'm going back to bed.

**[END OF TRANSCRIPTION]**